

Serial No. 09/919,727

Attorney Docket: 74577/044

captured to an image archive, wherein a bank the paper negotiable instrument is drawn on does not have to handle the image to settle and clear the paper negotiable instrument.

211. (New) The system of 199 wherein the capture station is located at the point of presentment and the agent server is located at a bank of first deposit.

212. (New) The system of 199 wherein the capture station is located at a bank of first deposit.

REMARKS

In the Office Action dated Aug. 30, 2005 the Examiner rejected Claims 177-196 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,170,744 ("Lee") in view of either U.S. Patent No. 6,212,504 ("Hayosh") or U.S. Patent No. 6,611,598 ("Hayosh"). Claims 177-198 have been canceled and new claims 199-212 have been submitted for consideration. Claim 199 is independent. Reconsideration of the above-identified patent application, as amended herein, is respectfully requested.

Lee discloses a self-authentication symbol that can be printed onto a physical paper document, such as a check. See Fig. 1, Cols. 5-6, lines 54-4. Paper checks that have been imprinted with the self-authentication symbol can be given to the payee to effect payment. Fig. 2, Col. 8, lines 38-39. The payee then presents the check to the bank of first deposit. Normal bank processing passes the paper checks through the federal clearing system and on to the bank of origin. See Fig. 2, Col. 8, lines 38-41. Lee neither teaches nor suggests electronically transmitting "at least one of the image

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captured or [the] at least one data file to a central server of a clearinghouse for execution in lieu of the paper negotiable instrument" as required by new independent claim 199.

Accordingly, the applicant respectfully submits that claim 199 is allowable over Lee. As new dependant claims 200 through 210 incorporate the limitations of claim 199 it is respectfully submitted that they too are allowable.

In view of the foregoing, it is believed that the present application is now in condition for allowance and a favorable action on the merits is respectfully requested.

Respectfully submitted,

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